
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Aipa Properties)	File No. EB-09-HL-0161
)	
Antenna Structure Registrant)	
ASR # 1249380)	
Honolulu, Hawaii)	NOV No. V201032860005
)	

NOTICE OF VIOLATION

Released: January 19, 2010

By the District Director, Honolulu Office, Western Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Aipa Properties, registrant of antenna structure #1249380 in Honolulu, Hawaii.
2. On November 17, 2009, an agent of the Enforcement Bureau's Honolulu Office inspected antenna structure #1249380 located at 3375 Koapaka Street, and observed the following violation:
 - a. 47 C.F.R. § 17.4(a): The owner of an antenna structure that requires notice of proposed construction to the Federal Aviation Administration must register the structure with the Commission. Information provided to the Commission must be accurate.² The FCC registration for antenna structure #1249380 states the latitude and longitude of the structure as 21° 20' 05.0" north latitude and 157° 55' 01.0" west longitude. The FAA Study number 95-HNL-43-NRA2 associated with the FCC registration number reflects this same location. At the time of the inspection, the Honolulu agent observed that the actual location of the structure is 21° 20' 04.7" north latitude and 157° 55' 03.3" west longitude, revealing a discrepancy of approximately 230 feet. This structure has a height of 5.8 meters and is mounted on the rooftop of a building giving it an overall height above ground level at 43.6 meters. The structure has required painting and lighting specifications due to its close proximity to the Honolulu International Airport, approximately one quarter of a mile to the north end of the airport property.

¹ 47 C.F.R. § 1.89.

² 47 C.F.R. § 1.17.

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3. Pursuant to Section 403 of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's Rules, Aipa Properties, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of Aipa Properties. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Honolulu Office
P.O. Box 971030
Waipahu, HI 96797-1030

4. This Notice shall be sent to Aipa Properties at its address of record.

5. The Privacy Act of 1974⁴ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁵

FEDERAL COMMUNICATIONS COMMISSION

Ryan Hagihara
Resident Agent
Honolulu Office
Western Region
Enforcement Bureau

³ 47 U.S.C. § 403.

⁴ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁵ 18 U.S.C. § 1001 *et seq.*